

providing for the transfer of cases and regulating appeals from the lower courts of the counties constituting said Eleventh Supreme Judicial District of Texas, and declaring an emergency."

Referred to Committee on Judicial Districts.

By Mr. Stroder and Mr. Dodd:

H. B. No. 39, A bill to be entitled "An Act making it unlawful to appear in a public or private place in an intoxicated condition, and making it unlawful for public officers and teachers in the public schools to be intoxicated, and declaring an emergency."

Referred to Committee on Criminal Jurisprudence.

By Mr. Shires:

H. B. No. 40, A bill to be entitled "An Act requiring any corporation or company, any insurance company, casualty company, co-operative life insurance company, life insurance company, fire insurance company, accident insurance company, any life and accident, health and accident, or life, health and accident insurance company, fidelity, guaranty or surety company or company doing a fidelity, guaranty or surety business in this State; any mutual fire, lightning, or storm insurance company, which is required by law to deposit with the State Treasurer or any State officer having his office at Austin, Texas, any money, bonds or securities to deposit with such officer either money or bonds or securities which are taxable in this State, and the situs of such money, bonds or securities for taxation purposes shall be in Travis county, Texas, and declaring an emergency."

Referred to Committee on State Affairs.

ADJOURNMENT.

Mr. Greer moved that the House adjourn until 10 o'clock a. m. tomorrow.

Mr. Wessels moved that the House recess until 10 o'clock a. m. tomorrow.

The motion of Mr. Greer prevailed, and the House accordingly, at 5:50 o'clock p. m., adjourned until 10 o'clock a. m. tomorrow.

APPENDIX.

STANDING COMMITTEE REPORT.

The following committee has filed favorable reports on bills today as follows:

Liquor Traffic: House bills Nos. 20 and 25.

FIFTH DAY.

(Friday, April 20, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Hendricks.
Amsler.	Howeth.
Arnold.	Irwin.
Atkinson.	Jacks.
Avis.	Jennings.
Baker of Milam.	Kemble.
Baker of Orange.	Lackey.
Barker.	Laird.
Barrett.	Lamb.
Beasley.	Lane.
Bell.	LeMaster.
Bird.	LeSturgeon.
Blount.	Loftin.
Bonham.	Looney.
Bryant.	McBride.
Burmeister.	McDaniel.
Cable.	McDonald.
Carpenter	McNatt.
of Dallas.	Martin.
Carpenter	Mathes.
of Matagorda.	Maxwell.
Carson.	Melson.
Carter of Hays.	Merritt.
Chitwood.	Montgomery.
Coffee.	Moore.
Covey.	Morgan
Cowen.	of Liberty.
Crawford.	Morgan
Culp.	of Robertson.
Davis.	Pate.
DeBerry.	Patman.
Dinkle.	Patterson.
Dodd.	Perdue.
Downs.	Pinkston.
Driggers.	Pool.
Duffey.	Pope.
Dunlap.	Potter.
Dunn.	Purl.
Durham.	Quaid.
Edwards.	Quinn.
Fields.	Rice.
Finlay.	Robinson.
Gipson.	Rountree.
Greer.	Rowland.
Hardin of Erath.	Russell
Hardin	of Callahan.
of Kaufman.	Russell of Trinity.
Harrington.	Sackett.
Harris.	Sanford.
Henderson	Satterwhite.
of Marion.	Shires.
Henderson	Simpson.
of McLennan.	Smith.

Sparkman.	Thompson.
Stell.	Thrasher.
Stevens.	Turner.
Stewart of Jasper.	Vaughan.
Stewart of Reeves.	Wallace.
Stiernberg.	Wells.
Storey.	Westbrook.
Stroder.	Wessels.
Sweet.	Wilson.
Teer.	Young.

Absent.

Davenport.	Stewart
Fugler.	of Edwards.
Hull.	Strickland.
Johnson.	Williamson.

Absent—Excused.

Baldwin.	Lewis.
Bobbitt.	Lusk.
Carter of Coke.	McFarlane.
Collins.	McKean.
Dielmann.	Merriman.
Faubion.	Miller.
Frnka.	Price.
Green.	Rogers.
Houston.	Shearer.
Hughes.	Wilmans.
Jones.	Winfree.

A quorum was announced present.

Prayer was offered by Rev. J. C. Mitchell, Chaplain.

LEAVES OF ABSENCE GRANTED.

The following members were granted leaves of absence on account of important business:

Mr. Green for today, on motion of Mr. Purl.

Mr. Price for today, on motion of Mr. Patman.

Mr. Hughes for today, on motion of Mr. Henderson of McLennan.

Mr. Collins for today, on motion of Mr. Hardin of Kaufman.

Mr. Dielmann for today, on motion of Mr. Young.

Mr. McKean for today, on motion of Mr. Carter of Hays.

Mr. Houston for today, on motion of Mr. Arnold.

Mrs. Wilmans for today, on motion of Mr. Blount.

Mr. McFarlane for today and tomorrow, on motion of Mr. Stiernberg.

Mr. Faubion for today, on motion of Mr. Teer.

The following member was granted leave of absence on account of sickness:

Mr. Rogers for today, on motion of Mr. Potter.

The following members were granted leaves of absence on account of important committee work:

Messrs. Henderson of Marion, Laird, Baldwin and Bonham for today, on motion of Mr. Rountree.

NOTICE GIVEN.

Mr. Burmeister gave notice that he would on next Monday call up, for consideration at that time, the motion to reconsider the vote by which House bill No. 4 was passed, which motion to reconsider was on yesterday spread on the Journal.

RELATING TO HOUSE BILL NO. 4.

Mr. Burmeister moved that the Chief Clerk of the House be instructed not to deliver House bill No. 4 to the Senate until the pending motion to reconsider the vote by which the bill was passed has been disposed of.

Yeas and nays were demanded, and the motion prevailed by the following vote:

Yeas—81.

Abney.	Finlay.
Arnold.	Gipson.
Avis.	Hardin of Erath.
Baker of Milam.	Harrington.
Baker of Orange.	Hendricks.
Barker.	Howeth.
Beasley.	Irwin.
Bell.	Jennings.
Blount.	Kemble.
Bonham.	Lackey.
Bryant.	Lane.
Burmeister.	LeMaster.
Cable.	Lusk.
Carpenter	McBride.
of Matagorda.	McDonald.
Carson.	McNatt.
Carter of Hays.	Martin.
Chitwood.	Mathes.
Coffee.	Maxwell.
Covey.	Melson.
Cowen.	Merritt.
Crawford.	Montgomery.
Culp.	Moore.
Davis.	Morgan
DeBerry.	of Liberty.
Dinkle.	Pate.
Dodd.	Patman.
Downs.	Patterson.
Driggers.	Perdue.
Duffey.	Pinkston.
Dunn.	Quaid.
Durham.	Rice.
Edwards.	Robinson.

Rountree.	Stewart of Reeves.
Russell	Sweet.
of Callahan.	Teer.
Sackett.	Thompson.
Sanford.	Thrasher.
Satterwhite.	Turner.
Shires.	Wallace.
Simpson.	Wells.
Smith.	Westbrook.
Sparkman.	Young.
Stewart of Jasper.	

Nays—21.

Amsler.	Loftin.
Atkinson.	Looney.
Baldwin.	McDaniel.
Barrett.	Purl.
Bird.	Stell.
Greer.	Stevens.
Hardin	Stiernberg.
of Kaufman.	Storey.
Harris.	Stroder.
Henderson	Wessels.
of McLennan.	Wilson.
Jacks.	

Present—Not Voting.

Fields.	Rowland.
Quinn.	

Absent.

Carpenter	Morgan
of Dallas.	of Robertson.
Davenport.	Pool.
Dunlap.	Pope.
Fugler.	Potter.
Green.	Russell of Trinity.
Hull.	Stewart
Johnson.	of Edwards.
Lamb.	Strickland.
LeStourgeon.	Vaughan.
	Williamson.

Absent—Excused.

Bobbitt.	Laird.
Carter of Coke.	Lewis.
Collins.	McFarlane.
Dielmann.	McKean.
Faubion.	Merriman.
Frnka.	Miller.
Henderson	Price.
of Marion.	Rogers.
Houston.	Shearer.
Hughes.	Wilmsans.
Jones.	Winfree.

RELATING TO ILLNESS OF MR. LUSK.

The Speaker laid before the House, and had read, the following communication:

Brenham, Texas, April 19, 1923.

Mr. R. E. Seagler, Speaker, House of Representatives, Austin, Texas.

Dear Sir: I am writing you with

reference to my uncle, Mr. Wm. Lusk. I am very sorry to report that he will not be able to attend any of the present Special Session unless it should continue very much longer than usual. As you know, he came home from the Regular Session and has been in bed for eleven weeks, and for several of the weeks we did not expect him to survive his malady, which was typhoid fever complicated with pneumonia. At present he is on the road to recovery, but it will be some time yet before he will be himself again and able to resume work.

He regrets very much being absent from the Legislature, and it has been a source of much regret on his part that he has been so unavoidably absent from all of the meetings of the Legislature. He will thank you to advise his fellow members of his inability to be with them, and express to them how much he will miss not meeting with them.

Yours very truly,

ALBERT STONE.

On motion of Mr. Fields, the communication was ordered printed in the Journal.

RELATING TO PORTERS.

Mr. Robinson offered the following resolution:

Whereas, It has been found necessary to place one part-time porter on full time in order to take care of the work of keeping the House in a sanitary condition; now, therefore, be it

Resolved, That the Speaker be and he is hereby authorized to add one of the part-time porters to the force of full-time porters.

Signed—Robinson, Beasley, Moore.

The resolution was read second time and was adopted.

INVITING DR. STRATON D. BROOKS TO ADDRESS THE HOUSE.

Mr. Chitwood offered the following resolution:

Whereas, Dr. Straton D. Brooks, President of the University of Oklahoma, is in Austin; and

Whereas, Dr. Brooks is one of the leaders in education in America, having been president of the University of Oklahoma for twelve years and also having served for a number of years as superintendent of the Boston public school system; therefore, be it

Resolved, That Dr. Brooks be invited to address the House of Representatives at 11:30 a. m. today.

Signed—Chitwood, Harrington, Barrett, McNatt, Kemble, Harris, Blount, Cowen, Russell of Callahan.

The resolution was read second time.

Mr. Wessels offered the following amendment to the resolution:

Amend the resolution by changing date from "11:30 a. m." to "8:30 p. m."

The amendment was lost.

Question recurring on the resolution, it was adopted.

INVITING HON. WILLIAM J. BRYAN TO ADDRESS THE HOUSE.

Mr. Stewart of Reeves offered the following resolution:

Whereas, The Hon. Wm. J. Bryan is to visit Texas early in May; and

Whereas, He is one of our most distinguished citizens and a speaker of great ability; therefore, be it

Resolved, That the House of Representatives extend to him an invitation to address the members on some evening during his visit in the State.

Signed—Stewart of Reeves, Dinkle, Beasley, Rountree, Abney.

The resolution was read second time and was adopted.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 20, 1923.

Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the Senate has passed

S. C. R. No. 6, Providing for the appointment of a committee on behalf of the Senate and the House to investigate the charges alleged to have been made in a speech by Hull Youngblood in San Antonio, and which was carried in the edition of April 19, 1923, of the San Antonio Light.

Respectfully,

RICHARD BLALOCK,

Assistant Secretary of the Senate.

EMPLOYEE OF THE HOUSE.

The Speaker announced the appointment of the following:

Full-time porter—Joseph Brunson.

RELATING TO PRISON SURVEY.

Mr. Carpenter of Dallas offered the following resolution:

H. C. R. No. 2, Relating to prison survey.

Whereas, In many States a prison survey has proved helpful in assisting the State authorities and their Legislature in solving prison problems; and

Whereas, A scientific survey of our prison system will help the prison authorities and our legislative committees in securing information and legislation that will correct our prison difficulties that we are now laboring under; and

Whereas, It is a Democratic platform demand that such survey be made; and

Whereas, The Texas Prison Committee has agreed to undertake the financing of such survey; therefore, be it

Resolved by the House of Representatives, the Senate concurring, That we authorize the Texas Prison Committee—a division of the National Committee on Prison and Prison Labor—to make, without cost to the State, a scientific survey of the prison system of Texas, and that said committee be authorized to call to its assistance such experts as it may desire to assist in the making of the said survey. Be it further

Resolved, That we request the said committee to have printed the results of said survey, to the end that the citizenship of this State and the members of succeeding Legislatures be advised of the recommendations that point the way for securing a modern and efficient prison system for this State.

The resolution was read second time and was adopted.

Mr. Teer moved to reconsider the vote by which the resolution was adopted, and to table the motion to reconsider.

The motion to table prevailed.

RELATING TO SPEECH MADE BY HULL YOUNGBLOOD.

The Speaker laid before the House, for consideration at this time, the following resolution:

S. C. R. No. 6, Relating to speech made by Hull Youngblood.

Whereas, The San Antonio Light, in its edition of April 19, 1923, carried a report of a speech alleged to have been made by one Hull Youngblood, wherein said speaker is quoted as having charged that bribery and other dishonorable and disgraceful practices are frequently re-

sorted to in the passage of legislation by the Legislature of Texas; and

Whereas, It is to the interest of the people of Texas, and the reputation and integrity of the members of this Legislature, that said charges be investigated, to ascertain whether they be true or false; if they be true, the parties guilty of such practices be exposed and punished, and if they be false, that the author thereof be exposed, and their falsity be made known to the people of Texas; now, therefore, be it

Resolved by the Senate of Texas, the House of Representatives concurring, That a committee be appointed, consisting of three members of the Senate, to be named by the President of the Senate, and five members of the House of Representatives, to be named by the Speaker of the House, to investigate the charges alleged to have been made in said speech by said Youngblood, and to report the result of its investigations to the Legislature at the present session thereof; that said committee have authority to issue process and compel the attendance of witnesses, to hold open meetings at such times and places as to the committee may seem proper; and to exercise all powers and authority provided by general law for the conduct of legislative investigations. That the expense incurred by said committee in conducting said investigation be paid out of the contingent expense of the Senate and House by warrants drawn thereon.

The resolution was read second time.

Mr. Westbrook moved the previous question on the resolution, and the main question was ordered.

Question recurring on the resolution, yeas and nays were demanded.

The resolution was adopted by the following vote:

Yeas—102.

Mr. Speaker.	Carson.
Abney.	Carter of Hays.
Amsler.	Chitwood.
Arnold.	Coffee.
Avis.	Covey.
Baker of Milam.	Cowen.
Barker.	Crawford.
Barrett.	Culp.
Beasley.	Davis.
Bird.	DeBerry.
Bonham.	Dodd.
Bryant.	Downs.
Burmeister.	Driggers.
Cable.	Duffey.
Carpenter	Dunn.
of Matagorda.	Durham.

Edwards.	Pate.
Fields.	Patman.
Finlay.	Patterson.
Gipson.	Perdue.
Greer.	Pinkston.
Hardin of Erath.	Pope.
Hardin	Purl.
of Kaufman.	Quaid.
Harrington.	Rice.
Harris.	Robinson.
Henderson	Rountree.
of McLennan.	Rowland.
Hendricks.	Russell
Howeth.	of Callahan.
Irwin.	Russell of Trinity.
Jacks.	Sackett.
Jennings.	Sanford.
Johnson.	Satterwhite.
Kemble.	Shires.
Lackey.	Simpson.
Lamb.	Smith.
Lane.	Sparkman.
LeMaster.	Stell.
LeSturgeon.	Stevens.
Lewis.	Stewart of Jasper.
McBride.	Stewart of Reeves.
McDaniel.	Stiernberg.
McDonald.	Storey.
McNatt.	Stroder.
Martin.	Sweet.
Mathes.	Thompson.
Maxwell.	Thrasher.
Merritt.	Turner.
Montgomery.	Vaughan.
Moore.	Wallace.
Morgan	Westbrook.
of Liberty.	Wessels.
Morgan	Wilson.
of Robertson.	Young.

Absent.

Atkinson.	Looney.
Baker of Orange.	Melson.
Bell.	Pool.
Blount.	Potter.
Carpenter	Quinn.
of Dallas.	Stewart
Davenport.	of Edwards.
Dinkle.	Strickland.
Dunlap.	Teer.
Fugler.	Wells.
Hull.	Williamson.
Loftin.	

Absent—Excused.

Baldwin.	Jones.
Bobbitt.	Laird.
Carter of Coke.	Lusk.
Collins.	McFarlane.
Dielmann.	McKean.
Faubion.	Merriman.
Frnka.	Miller.
Green.	Price.
Henderson	Rogers.
of Marion.	Shearer.
Houston.	Wilmans.
Hughes.	Winfree.

In accordance with the above action, the Speaker announced the appointment of the following committee on the part of the House:

Messrs. Shires, Patman, Beasley, Lewis and Irwin.

RELATING TO DECORATING PORTRAIT OF GENERAL HOUSTON.

Mr. Moore offered the following resolution:

Whereas, The painting of that Texas patriot, Hon. Sam Houston, hangs in the Hall of the House of Representatives as a constant reminder of the suffering and sacrifices of our forefathers; therefore, be it

Resolved, That the Speaker be and is hereby authorized to appoint a committee of four to assist the Sergeant-at-Arms in purchasing appropriate decorations to decorate the painting of the Hon. Sam Houston in celebration of San Jacinto Day, April 21, 1923, the expense to be paid out of the contingent fund of the House.

Signed—Moore, Satterwhite.

The resolution was read second time and was adopted.

In accordance with the above action, the Speaker announced the appointment of the following committee to look after decoration of the portrait of General Sam Houston in celebration of San Jacinto Day:

Messrs. Moore, Chairman; Satterwhite, Fields and Maxwell.

EXPRESSING SYMPATHY FOR HON. WILLIAM LUSK.

Mr. Driggers offered the following resolution:

Whereas, Hon. William Lusk of Washington county, an honored member of the present House of Representatives, is unable to attend the present Special Session of the Legislature because of serious illness; therefore, be it

Resolved, That the Chief Clerk be instructed to mail Mr. Lusk his mileage and per diem warrants; and be it further

Resolved, That we express to our fellow member and co-laborer our deepest sympathy in his hours of affliction, and earnestly hope for his speedy and complete recovery and that he may be spared to return to his duties as a member of this House.

Signed—Driggers, Satterwhite, Duffey.

The resolution was read second time and was adopted.

EXPRESSING SYMPATHY FOR HON. J. O. MERRIMAN.

Mr. Satterwhite offered the following resolution:

Whereas, Hon. J. O. Merriman of Jefferson county, an honored member of the present House of Representatives, is unable to attend the present Special Session of the Legislature because of serious illness; therefore, be it

Resolved, That the Chief Clerk be instructed to mail Mr. Merriman his mileage and per diem warrants; and be it further

Resolved, That we express to our fellow member and co-laborer our deepest sympathy in his hours of affliction, and earnestly hope for his speedy and complete recovery and that he may be spared to return to his duties as a member of this House.

The resolution was read second time and was adopted.

HOUSE BILL NO. 11 ON ENGROSSMENT.

The Speaker laid before the House, as unfinished business, on its passage to engrossment,

H. B. No. 11, A bill to be entitled "An Act to provide a more efficient method for the collection of delinquent taxes on land; providing compensation for the county attorney and other officials for service rendered in collecting such taxes; further providing for the employment of a special attorney to assist in collecting such taxes, amending Section 1 of Chapter 147 of the Acts of the Regular Session of the Thirty-fourth Legislature as amended by Section 1 of Chapter 64 of the General Laws passed at the Second Called Session of the Thirty-sixth Legislature, amending Section 2 of Chapter 147 of the General Laws of the State of Texas passed at the Regular Session of the Thirty-fourth Legislature; amending Articles 7688, 7689, 7691, 7692, 7696, 7699; repealing Article 7687 of the Revised Civil Statutes of the State of Texas of 1911, and Section 3, Chapter 147, of the General Laws of the State of Texas, passed at the Regular Session of the Thirty-fourth Legislature as amended by Section 2, Chapter 64, of the General Laws of the State of Texas passed by the Second Called Session of

the Thirty-sixth Legislature; adding to Chapter 13 of Title 126 of the Revised Statutes of Texas of 1911 a new article to be known as Article 7689a, limiting the defenses that may be urged in defense of a suit for delinquent taxes; repealing all laws in conflict with the provisions of this act, and declaring an emergency."

The bill having been read second time on yesterday, with amendment by Mr. Abney pending.

On motion of Mr. Bonham, further consideration of the bill was postponed until 10 o'clock a. m. next Tuesday.

HOUSE BILL NO. 6 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 6, A bill to be entitled "An Act making an emergency appropriation for the Adjutant General of this State, made necessary by emergencies arising in declaring martial law in this State, and declaring an emergency."

The bill was read second time.

On motion of Mr. Satterwhite, further consideration of the bill was postponed until 2 o'clock p. m. today.

HOUSE BILL NO. 14 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 14, A bill to be entitled "An Act providing for the collection of delinquent occupation, franchise, inheritance and insolvent taxes and other money due the State, and providing a means for collecting such taxes; repealing all laws in conflict with this act, and declaring an emergency."

The bill was read second time.

Mr. Smith offered the following (committee) amendment to the bill:

Amend House bill No. 14, Section 1, line 10, to read "ten per cent (10%)" instead of "fifteen per cent (15%)."

Mr. Pope moved that further consideration of the bill be postponed until 2 o'clock p. m. next Monday.

Question—Shall the motion to postpone prevail?

ADDRESS BY DR. STRATON BROOKS.

In accordance with a resolution heretofore adopted providing for Dr. Straton Brooks to address the House, the

Speaker announced the appointment of the following committee to escort Hon. Straton Brooks to the Speaker's stand:

Messrs. Edwards, Dinkle and Barrett.

The committee having performed their duty, Speaker Seagler presented Mr. Dinkle, who in turn introduced Dr. Brooks.

Dr. Brooks then addressed the House.

HOUSE BILLS ON FIRST READING.

The following House bills, introduced today, were laid before the House, read severally first time, and referred to the appropriate committees, as follows:

By Mr. Quaid:

H. B. No. 41, A bill to be entitled "An Act making appropriations to pay the salaries of officers and employes of certain eleemosynary institutions of the State and other expenses of maintaining and conducting them for the two fiscal years beginning September 1, 1923, and ending August 31, 1925, as follows, to-wit: Confederate Woman's Home; State Confederate Home; State Lunatic Asylum; State Pasteur Institute; Southwestern Insane Asylum; North Texas Hospital for the Insane; East Texas Hospital for the Insane; State Epileptic Colony; State Orphan Home; State Institution for Training of Juveniles; Girls' Training School; State Colony for Feeble-Minded; State Tuberculosis Sanatorium; Hospital for Crippled Children; Deaf, Dumb and Blind Institute for Colored Youths; Northwest Texas Insane Asylum; State Home for Dependent and Neglected Children."

Referred to Committee on Appropriations.

By Mr. Quaid:

H. B. No. 42, A bill to be entitled "An Act making certain emergency and supplemental appropriations out of the general revenues of the State government as named herein for the balance of the fiscal year ending August 31, 1923, and declaring an emergency."

Referred to Committee on Appropriations.

By Mr. Patman:

H. B. No. 43, A bill to be entitled "An Act levying in behalf of the State and providing for the collection of an income tax derived from personal services, and declaring an emergency."

Referred to Committee on Revenue and Taxation.

By Mr. Amsler, Mr. Kemble, Mr. Rice, Mr. Stroder et al.:

H. B. No. 44, A bill to be entitled "An Act to establish and maintain a State School of Correspondence at Austin, Texas; to provide for all courses of study by correspondence that supply the needs of Texas people; to provide for the appointment of an executive board for same and prescribe their duties; to provide for the appointment of members of the faculty, prescribe their duties, and provide for the salaries of members of said faculty, and declaring an emergency."

Referred to Committee on Education.

MOTION TO RE-REFER HOUSE BILL NO. 40.

Mr. Purl moved that House bill No. 40 be withdrawn from the Committee on State Affairs and referred to the Committee on Insurance.

The motion was lost.

SPECIAL ORDER SET.

On motion of Mr. Bell, House bill No. 25 was set as a special order for 2:30 o'clock p. m. today.

RESOLUTION SIGNED BY THE SPEAKER.

The Speaker signed in the presence of the House, after giving due notice thereof and its caption had been read, the following enrolled resolution:

H. C. R. No. 1, Inviting Hon. Luther Stark to address the Legislature.

BILL RE-REFERRED.

On motion of Mr. Greer, House bill No. 39 was withdrawn from the Committee on Criminal Jurisprudence and referred to the Committee on Liquor Traffic.

RECESS.

On motion of Mr. Dunn, the House, at 12:10 o'clock p. m., took recess to 2 o'clock p. m. today.

AFTERNOON SESSION.

The House met at 2 o'clock p. m. and was called to order by the Speaker.

HOUSE BILL NO. 14 ON ENGROSSMENT.

The House resumed consideration of pending business, same being House bill

No. 14, relating to the collection of delinquent taxes, on its passage to engrossment, with amendment by Mr. Smith and motion by Mr. Pope to postpone further consideration of the bill until 2 o'clock p. m. next Monday, pending.

Question first recurring on the motion to postpone, it prevailed.

HOUSE BILL NO. 6 ON ENGROSSMENT.

The Speaker laid before the House, as postponed business, on its passage to engrossment, House bill No. 6, making an emergency appropriation for the Adjutant General's Department.

The bill having been read second time this morning and postponed until 2 o'clock p. m. today.

House bill No. 6 was then passed to engrossment.

HOUSE BILL NO. 25 ON SECOND READING.

The Speaker laid before the House, as a special order for this hour, on its second reading and passage to engrossment,

H. B. No. 25, A bill to be entitled "An Act amending Sections 1 and 2 of Chapter 78, General Laws, Second Called Session, Thirty-sixth Legislature, as amended by Chapter 61 of the General Laws, First Called Session, Thirty-seventh Legislature, making it unlawful for any person, directly or indirectly, to possess or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish spirituous, vinous or malt liquors or medicated biters capable of producing intoxication, or any other intoxicant whatever, or to possess, receive, manufacture, or knowingly sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish any equipment, still, mash, material, supplies, device or other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivery, taking orders for, soliciting or furnishing any such liquors, intoxicants or beverage, and making it unlawful for any person, directly or indirectly, to possess, or receive for the purpose of sale, or to manufacture, sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish spirituous, vinous or malt liquors or medicated biters, or any potable liquor, mixture or preparation containing in excess of one

per cent of alcohol by volume, or to possess, receive, manufacture or knowingly sell, barter, exchange, transport, export, deliver, take orders for, solicit or furnish any equipment, still, mash, material, supplies, device or other thing for manufacturing, selling, bartering, exchanging, transporting, exporting, delivering, taking orders for, soliciting or furnishing any such liquors, intoxicants or beverage; and be further amended by adding thereto Section 2, making proof of possession of mash, or of a still or any device for manufacturing intoxicating liquors, or proof of the possession of more than one quart of intoxicating liquors prima facie evidence of guilt wherever possession or receipt, or possession or receipt for the purpose of sale, is made unlawful by this act; and amending Chapter 78, General Laws, Second Called Session, Thirty-sixth Legislature, by adding Section 35a, with reference to seizure and destruction of the vehicles and instrumentalities used for the violation of the liquor laws of this State, and declaring an emergency."

The bill was read second time.

Mr. Hardin of Kaufman offered the following amendment to the bill:

Amend House bill No. 25 by striking out all between the word "liquors" in line 40, page 2, and inserting the word "shall" in line 1, page 3.

On motion of Mr. Bell, the amendment was tabled.

Question recurring on the engrossment the bill, yeas and nays were demanded.

House bill No. 25 was then passed to engrossment by the following vote:

Yeas—89.

Amsler.	Covey.
Arnold.	Cowen.
Atkinson.	Crawford.
Avis.	Culp.
Baldwin.	Davis.
Barker.	DeBerry.
Barrett.	Dodd.
Beasley.	Downs.
Bell.	Driggers.
Bird.	Duffey.
Bonham.	Dunlap.
Bryant.	Dunn.
Burmeister.	Durham.
Cable.	Edwards.
Carpenter	Fields.
of Matagorda.	Finlay.
Carson.	Gipson.
Carter of Hays.	Greer.
Chitwood.	Hardin of Erath.
Coffee.	Harrington.

Harris.	Patman.
Henderson	Patterson.
of Marion.	Perdue.
Hendricks.	Potter.
Howeth.	Quinn.
Irwin.	Rice.
Jacks.	Rountree.
Jennings.	Russell
Laird.	of Callahan.
Lamb.	Russell of Trinity.
Lane.	Sackett.
Lewis.	Sanford.
McBride.	Satterwhite.
McDonald.	Shires.
McNatt.	Simpson.
Martin.	Smith.
Mathes.	Sparkman.
Maxwell.	Stell.
Melson.	Stewart of Jasper.
Merritt.	Stewart of Reeves.
Montgomery.	Stiernberg.
Moore.	Stroder.
Morgan	Sweet.
of Liberty.	Turner.
Morgan	Wallace.
of Robertson.	Westbrook.
Pate.	Young.

Nays—14.

Blount.	Pool.
Hardin	Purl.
of Kaufman.	Rowland.
Henderson	Stevens.
of McLennan.	Storey.
Lackey.	Thompson.
Loftin.	Vaughan.
McDaniel.	Wessels.

Present—Not Voting.

Mr. Speaker.

Absent.

Baker of Milam.	Looney.
Baker of Orange.	Pinkston.
Carpenter	Pope.
of Dallas.	Quaid.
Davenport.	Robinson.
Dinkle.	Stewart
Fugler.	of Edwards.
Hull.	Strickland.
Johnson.	Teer.
Kemble.	Thrasher.
LeMaster.	Wells.
LeSturgeon.	Williamson.

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	McFarlane.
Collins.	McKean.
Dielmann.	Merriman.
Faubion.	Miller.
Frnka.	Price.
Green.	Rogers.
Houston.	Shearer.
Hughes.	Wilmans.
Jones.	Winfree.

Paired.

Mr. Abney (present), who would vote "yea," with Mr. Wilson (absent), who would vote "nay."

HOUSE BILL NO. 25 ON THIRD READING.

Mr. Burmeister moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 25 be placed on its third reading and final passage. The motion prevailed by the following vote:

Yeas—85.

Mr. Speaker.	Jennings.
Amsler.	Johnson.
Arnold.	Laird.
Avis.	Lamb.
Baldwin.	Lane.
Barker.	LeMaster.
Barrett.	McBride.
Beasley.	McDonald.
Bell.	McNatt.
Bird.	Martin.
Blount.	Maxwell.
Bonham.	Melson.
Bryant.	Merritt.
Burmeister.	Montgomery.
Cable.	Moore.
Carpenter	Morgan
of Matagorda.	of Robertson.
Carter of Hays.	Pate.
Chitwood.	Patman.
Coffee.	Patterson.
Covey.	Perdue.
Crawford.	Potter.
Culp.	Rice.
Davis.	Rountree.
DeBerry.	Rowland.
Dodd.	Russell
Downs.	of Callahan.
Driggers.	Russell of Trinity.
Duffey.	Sackett.
Dunlap.	Sanford.
Dunn.	Satterwhite.
Durham.	Shires.
Edwards.	Simpson.
Fields.	Smith.
Gipson.	Sparkman.
Greer.	Stevens.
Hardin of Erath.	Stewart of Jasper.
Harrington.	Stewart of Reeves.
Harris.	Stiernberg.
Henderson	Stroder.
of Marion.	Sweet.
Hendricks.	Wallace.
Howeth.	Westbrook.
Irwin.	Young.

Nays—14.

Atkinson.	Henderson
Carson.	of McLennan.
Finlay.	Lackey.

Looney.
McDaniel.
Morgan
of Liberty.
Pool.

Stell.
Storey.
Thompson.
Vaughan.
Wessels.

Present—Not Voting.

Jacks.

Absent.

Baker of Milam.	Mathes.
Baker of Orange.	Pinkston.
Carpenter	Pope.
of Dallas.	Purl.
Cowen.	Quaid.
Davenport.	Quinn.
Dinkle.	Robinson.
Fugler.	Stewart
Hardin	of Edwards.
of Kaufman.	Strickland.
Hull.	Teer.
Kemble.	Thrasher.
LeSturgeon.	Turner.
Lewis.	Wells.
Loftin.	Williamson.

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	McFarlane.
Collins.	McKean.
Dielmann.	Merriman.
Faubion.	Miller.
Frnka.	Price.
Green.	Rogers.
Houston.	Shearer.
Hughes.	Wilmans.
Jones.	Winfree.

Paired.

Mr. Abney (present), who would vote "yea," with Mr. Wilson (absent), who would vote "nay."

The Speaker then laid House bill No. 25 before the House on its third reading and final passage.

The bill was read third time.

Mr. Hardin of Kaufman moved that further consideration of the bill be postponed indefinitely.

The motion was lost.

House bill No. 25 was then passed by the following vote:

Yeas—88.

Arnold.	Bonham.
Avis.	Bryant.
Baldwin.	Burmeister.
Barker.	Cable.
Barrett.	Carpenter
Beasley.	of Matagorda.
Bell.	Carter of Hays.
Bird.	Chitwood.
Blount.	Coffee.

Covey.	Maxwell.
Crawford.	Melson.
Culp.	Merritt.
Davis.	Montgomery.
DeBerry.	Moore.
Dodd.	Morgan
Downs.	of Liberty.
Driggers.	Morgan
Duffey.	of Robertson.
Dunlap.	Pate.
Dunn.	Patman.
Durham.	Patterson.
Edwards.	Perdue.
Fields.	Potter.
Finlay.	Rice.
Gipson.	Robinson.
Greer.	Rountree.
Hardin of Erath.	Rowland.
Harrington.	Russell
Harris.	of Callahan.
Henderson	Russell of Trinity.
of Marion.	Sackett.
Hendricks.	Sanford.
Howeth.	Satterwhite.
Irwin.	Shires.
Jennings.	Simpson.
Kemble.	Smith.
Laird.	Sparkman.
Lamb.	Stell.
Lane.	Stewart of Jasper.
LeMaster.	Stewart of Reeves.
Lewis.	Stiernberg.
Looney.	Stroder.
McBride.	Sweet.
McDonald.	Wallace.
McNatt.	Westbrook.
Martin.	Young.
Mathes.	

Nays—10.

Carson.	McDaniel.
Hardin	Pool.
of Kaufman.	Storey.
Henderson	Thompson.
of McLennan.	Vaughan.
Loftin.	Wessels.

Present—Not Voting.

Mr. Speaker.	Jacks.
Amsler.	

Absent.

Atkinson.	Johnson.
Baker of Milam.	Lackey.
Baker of Orange.	LeSturgeon.
Bobbitt.	Pinkston.
Carpenter	Pope.
of Dallas.	Purl.
Collins.	Quaid.
Cowen.	Quinn.
Davenport.	Stevens.
Dielmann.	Stewart
Dinkle.	of Edwards.
Faubion.	Strickland.
Fugler.	Teer.
Hull.	Thrasher.

Turner.	Williamson.
Wells.	

Absent—Excused.

Carter of Coke.	McKean.
Frnka.	Merriman.
Green.	Miller.
Houston.	Price.
Hughes.	Rogers.
Jones.	Shearer.
Lusk.	Wilmans.
McFarlane.	Winfree.

Paired.

Mr. Abney (present), who would vote "yea," with Mr. Wilson (absent), who would vote "nay."

Mr. Burmeister moved to reconsider the vote by which the bill was passed and to table the motion to reconsider.

The motion to table prevailed.

Reasons for Vote.

We, the following members of the Thirty-eighth Legislature, voted against House bill No. 25 because if adopted it put the burden of proof of innocence on the defendant instead of the burden of proof of guilt on the State, and since we believe it is a radical change in one of the fundamental principles of our government, and for the further reason the said bill will permit a peace officer of this State to search a man's private property (automobile) without first securing a warrant as is now required by law in this State; thereby placing the citizens of this State at the mercy of unscrupulous officers; therefore we voted against the bill, although we are in favor of a stricter enforcement of the law.

PURL,
LOFTIN,
STOREY,
HARDIN of Kaufman.

HOUSE BILL NO. 15 ON SECOND READING.

The Speaker laid before the House, on its second reading and passage to engrossment,

H. B. No. 15, A bill to be entitled "An Act to amend Articles 7407, 7409, 7414, 7415 and 7416 of the Revised Statutes of the State of Texas of 1911, relative to the taxation of the intangible assets of certain corporations, associations and individuals, and providing for the creation of a State Tax Board for the valuation of such intangible assets and for the distribution of said values for local taxation

and for the assessment of said assets and the levy and collection of taxes thereon; and to provide for the repeal of all laws and parts of laws laying taxes upon the gross incomes of corporations, associations and individuals affected by the provisions thereof, so that as by this act amended, said article shall provide that other and additional individuals, corporations, companies and associations be included and made subject to the provisions thereof; providing that any such individual, company, corporation or association engaged in any other business, upon which an occupation tax based on gross receipts is levied, shall not be relieved from the payment of such occupation tax by reason of the payment of taxes based on intangible values; fixing the salary of the Tax Commissioner, and declaring an emergency."

The bill was read second time.

Mr. Burmeister moved a call of the House for the purpose of maintaining a quorum pending consideration of House bill No. 15 and the call was duly seconded.

The Speaker then directed the Doorkeeper to close the main entrance to the Hall, and instructed the Sergeant-at-Arms to lock all other doors leading from the Hall, and stated that no member would be permitted to leave the Hall without written permission from the Speaker.

On motion of Mr. Burmeister, the Sergeant-at-Arms was instructed to bring in all absentees within the city.

Mr. Jacks moved that the House adjourn until 10 o'clock a. m. next Monday.

Yeas and nays were demanded and the motion was lost by the following vote:

Yeas—28.

Abney.	Loftin.
Amsler.	McNatt.
Atkinson.	Merritt.
Blount.	Morgan
Culp.	of Liberty.
Dunlap.	Pinkston.
Gipson.	Purl.
Henderson	Rountree.
of McLennan.	Rowland.
Hendricks.	Russell of Trinity.
Irwin.	Smith.
Jacks.	Stiernberg.
Johnson.	Storey.
Kemble.	Vaughan.
Lewis.	Wessels.

Nays—66.

Avis.	Lamb.
Baldwin.	Lane.
Barrett.	LeMaster.
Beasley.	Looney.
Bell.	McBride.
Bonham.	McDaniel.
Bryant.	Martin.
Burmeister.	Mathes.
Cable.	Maxwell.
Carpenter	Melson.
of Matagorda.	Moore.
Carson.	Pate.
Carter of Hays.	Patman.
Chitwood.	Patterson.
Coffee.	Perdue.
Covey.	Potter.
Crawford.	Rice.
Davis.	Robinson.
DeBerry.	Russell
Dinkle.	of Callahan.
Dodd.	Sackett.
Downs.	Sanford.
Driggers.	Satterwhite.
Dunn.	Shires.
Durham.	Simpson.
Edwards.	Sparkman.
Fields.	Stell.
Finlay.	Stevens.
Greer.	Stewart of Jasper.
Hardin of Erath.	Stewart of Reeves.
Henderson	Sweet.
of Marion.	Thompson.
Howeth.	Thrasher.
Jennings.	Wallace.
Laird.	Young.

Absent.

Arnold.	McDonald.
Baker of Milam.	Montgomery.
Baker of Orange.	Morgan
Barker.	of Robertson.
Bird.	Pool.
Carpenter	Pope.
of Dallas.	Quaid.
Cowen.	Quinn.
Davenport.	Stewart
Duffey.	of Edwards.
Fugler.	Strickland.
Hardin	Stroder.
of Kaufman.	Teer.
Harrington.	Turner.
Harris.	Wells.
Hull.	Westbrook.
Lackey.	Williamson.
LeSturgeon.	Wilmans.

Absent—Excused.

Bobbitt.	Green.
Carter of Coke.	Houston.
Collins.	Hughes.
Dielmann.	Jones.
Faubion.	Lusk.
Frnka.	McFarlane.

McKean.
Merriman.
Miller.
Price.

Rogers.
Shearer.
Wilman.
Winfree.

The roll was called and a quorum was announced present.

Mr. Jacks moved that further consideration of the bill be postponed until 9:30 o'clock a. m. next Monday.

The motion was lost.

Mr. Gipson offered the following amendments to the bill:

(1)

Amend House bill No. 15, page 2, line 20, by striking out the words "Street Railway Co."

(2)

Amend House bill No. 15, page 2, line 20, by striking out the word "Interurban."

Mr. Rowland moved the previous question on the pending amendments and the bill, and the main question was ordered.

Question recurring on amendment No. 1, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—22.

Abney.
Avis.
Carpenter
of Dallas.
Carson.
Cowen.
Crawford.
Gipson.
Hardin
of Kaufman.
Henderson
of McLennan.
Jacks.

LeMaster.
Loftin.
McNatt.
Montgomery.
Morgan
of Liberty.
Purl.
Rountree.
Smith.
Sparkman.
Stewart of Reeves.
Wells.
Westbrook.

Nays—80.

Amsler.
Arnold.
Atkinson.
Baldwin.
Barker.
Barrett.
Bell.
Bird.
Blount.
Bonham.
Bryant.
Burmeister.
Cable.
Carpenter
of Matagorda.
Carter of Hays.
Chitwood.

Coffee.
Covey.
Culp.
Davis.
DeBerry.
Dinkle.
Dodd.
Downs.
Driggers.
Duffey.
Dunlap.
Dunn.
Durham.
Edwards.
Fields.
Finlay.
Greer.

Hardin of Erath.
Harris.
Henderson
of Marion.
Howeth.
Jennings.
Laird.
Lamb.
Lane.
Looney.
McBride.
McDaniel.
McDonald.
Martin.
Mathes.
Maxwell.
Melson.
Merritt.
Moore.
Pate.
Patman.
Patterson.
Perdue.
Pinkston.
Pool.
Potter.

Quinn.
Rice.
Robinson.
Rowland.
Russell
of Callahan.
Russell of Trinity.
Sackett.
Sanford.
Satterwhite.
Simpson.
Stell.
Stevens.
Stewart of Jasper.
Stiernberg.
Storey.
Sweet.
Teer.
Thompson.
Thrasher.
Turner.
Vaughan.
Wallace.
Wessels.
Young.

Present—Not Voting.

Mr. Speaker.

Absent.

Baker of Milam.
Baker of Orange.
Beasley.
Davenport.
Fugler.
Harrington.
Hendricks.
Hull.
Irwin.
Johnson.
Kemble.
Lackey.
LeSturgeon.

Lewis.
Morgan
of Robertson.
Pope.
Quaid.
Shires.
Stewart
of Edwards.
Strickland.
Stroder.
Williamson.
Wilson.

Absent—Excused.

Bobbitt.
Carter of Coke.
Collins.
Dielmann.
Faubion.
Frnka.
Green.
Houston.
Hughes.
Jones.

Lusk.
McFarlane.
McKean.
Merriman.
Miller.
Price.
Rogers.
Shearer.
Wilman.
Winfree.

Question next recurring on amendment No. 2, yeas and nays were demanded.

The amendment was lost by the following vote:

Yeas—20.

Avis.
Carpenter
of Dallas.

Cowen.
Gipson.

Hardin	Merritt.
of Kaufman.	Montgomery.
Harrington.	Morgan
Henderson	of Liberty.
of McLennan.	Purl.
Irwin.	Satterwhite.
Jacks.	Smith.
LeMaster.	Sparkman.
Lewis.	Wells.
Loftin.	

Nays—84.

Abney.	Lamb.
Amsler.	Lane.
Arnold.	Looney.
Atkinson.	McBride.
Baldwin.	McDaniel.
Barrett.	McDonald.
Beasley.	McNatt.
Bell.	Martin.
Bird.	Mathes.
Blount.	Maxwell.
Bonham.	Melson.
Bryant.	Moore.
Burmeister.	Pate.
Cable.	Patman.
Carpenter	Patterson.
of Matagorda.	Perdue.
Carson.	Pinkston.
Carter of Hays.	Potter.
Chitwood.	Quinn.
Coffee.	Rice.
Covey.	Robinson.
Crawford.	Rowland.
Culp.	Russell
Davis.	of Callahan.
DeBerry.	Russell of Trinity.
Dinkle.	Sackett.
Dodd.	Sanford.
Downs.	Simpson.
Driggers.	Stell.
Duffey.	Stevens.
Dunlap.	Stewart of Jasper.
Dunn.	Stewart of Reeves.
Durham.	Stiernberg.
Edwards.	Storey.
Fields.	Sweet.
Finlay.	Teer.
Greer.	Thompson.
Hardin of Erath.	Thrasher.
Harris.	Turner.
Henderson	Vaughan.
of Marion.	Wallace.
Howeth.	Westbrook.
Jennings.	Wessels.
Lackey.	Young.
Laird.	

Present—Not Voting.

Mr. Speaker.	Rountree.
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Absent.

Baker of Milam.	Fugler.
Baker of Orange.	Hendricks.
Barker.	Hull.
Davenport.	Johnson.

Kemble.	Shires.
LeStourgeon.	Stewart
Morgan	of Edwards.
of Robertson.	Strickland.
Pool.	Stroder.
Pope.	Williamson.
Quaid.	Wilson.

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	McFarlane.
Collins.	McKean.
Dielmann.	Merriman.
Faubion.	Miller.
Frnka.	Price.
Green.	Rogers.
Houston.	Shearer.
Hughes.	Wilmans.
Jones.	Winfree.

Question then recurring on the engrossment of the bill, yeas and nays were demanded.

House bill No. 15 was then passed to engrossment by the following vote:

Yeas—85.

Amsler.	Jennings.
Arnold.	Johnson.
Atkinson.	Lackey.
Baldwin.	Laird.
Barker.	Lamb.
Barrett.	Lane.
Bell.	LeMaster.
Bonham.	McBride.
Bryant.	McDaniel.
Burmeister.	McDonald.
Cable.	McNatt.
Carpenter	Martin.
of Matagorda.	Mathes.
Carson.	Maxwell.
Carter of Hays.	Melson.
Chitwood.	Merritt.
Coffee.	Moore.
Covey.	Pate.
Crawford.	Patman.
Culp.	Perdue.
Davis.	Pinkston.
DeBerry.	Potter.
Dinkle.	Quinn.
Dodd.	Rice.
Downs.	Robinson.
Driggers.	Rowland.
Duffey.	Russell
Dunn.	of Callahan.
Durham.	Russell of Trinity.
Edwards.	Sackett.
Fields.	Sanford.
Finlay.	Simpson.
Greer.	Smith.
Hardin of Erath.	Sparkman.
Harrington.	Stell.
Harris.	Stevens.
Henderson	Stewart of Jasper.
of Marion.	Stewart of Reeves.
Howeth.	Stiernberg.

Storey.	Vaughan.
Sweet.	Wallace.
Teer.	Wells.
Thompson.	Westbrook.
Thrasher.	Young.

Nays—22.

Abney.	Irwin.
Avis.	Jacks.
Beasley.	Lewis.
Bird.	Loftin.
Blount.	Looney.
Carpenter	Morgan
of Dallas.	of Liberty.
Cowen.	Purl.
Dunlap.	Satterwhite.
Gipson.	Shires.
Hardin	Turner.
of Kaufman.	Wessels.
Henderson	
of McLennan.	

Present—Not Voting.

Rountree.

Absent.

Baker of Milam.	Patterson.
Baker of Orange.	Pool.
Davenport.	Pope.
Fugler.	Quaid.
Hendricks.	Stewart
Hull.	of Edwards.
Kemble.	Strickland.
LeSturgeon.	Stroder.
Montgomery.	Williamson.
Morgan	Wilson.
of Robertson.	

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	McFarlane.
Collins.	McKean.
Dielmann.	Merriman.
Faubion.	Miller.
Frnka.	Price.
Green.	Rogers.
Houston.	Shearer.
Hughes.	Wilmans.
Jones.	Winfree.

HOUSE BILL NO. 15 ON THIRD
READING.

Mr. Patman moved that the constitutional rule requiring bills to be read on three several days be suspended and that House bill No. 15 be placed on its third reading and final passage.

The motion prevailed by the following vote:

Yeas—88.

Mr. Speaker.	Arnold.
Amsler.	Atkinson.

Baldwin.	McNatt.
Barrett.	Martin.
Beasley.	Mathes.
Bell.	Maxwell.
Bryant.	Melson.
Burmeister.	Merritt.
Cable.	Montgomery.
Carpenter	Moore.
of Matagorda.	Morgan
Carson.	of Robertson.
Carter of Hays.	Pate.
Chitwood.	Patman.
Coffee.	Patterson.
Covey.	Perdue.
Crawford.	Pinkston.
Culp.	Pool.
Davis.	Potter.
DeBerry.	Quinn.
Dinkle.	Rice.
Dodd.	Robinson.
Downs.	Rountree.
Driggers.	Rowland.
Duffey.	Russell
Dunn.	of Callahan.
Durham.	Russell of Trinity.
Edwards.	Sackett.
Finlay.	Sanford.
Greer.	Satterwhite.
Hardin of Erath.	Shires.
Harrington.	Simpson.
Henderson	Sparkman.
of Marion.	Stell.
Howeth.	Stevens.
Jennings.	Stewart of Jasper.
Lackey.	Stewart of Reeves.
Laird.	Sweet.
Lamb.	Thompson.
Lane.	Thrasher.
LeMaster.	Vaughan.
Looney.	Wallace.
McBride.	Wells.
McDaniel.	Westbrook.
McDonald.	Young.

Nays—19.

Abney.	Irwin.
Avis.	Jacks.
Bird.	Lewis.
Blount.	Loftin.
Carpenter	Morgan
of Dallas.	of Liberty.
Dunlap.	Purl.
Gipson.	Stiernberg.
Hardin	Storey.
of Kaufman.	Turner.
Henderson	Wessels.
of McLennan.	

Absent.

Baker of Milam.	Fugler.
Baker of Orange.	Harris.
Barker.	Hendricks.
Bonham.	Hull.
Cowen.	Johnson.
Davenport.	Kemble.
Fields.	LeSturgeon.

Pope.	Strickland.
Quaid.	Stroder.
Smith.	Teer.
Stewart	Williamson.
of Edwards.	Wilson.

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	McFarlane.
Collins.	McKean.
Dielmann.	Merriman.
Faubion.	Miller.
Frnka.	Price.
Green.	Rogers.
Houston.	Shearer.
Hughes.	Wilmans.
Jones.	Winfree.

The Speaker then laid House bill No. 15 before the House on its third reading and final passage.

The bill was read third time and was passed by the following vote:

Yeas—88.

Amsler.	Lackey.
Arnold.	Laird.
Atkinson.	Lamb.
Baldwin.	Lane.
Barker.	LeMaster.
Barrett.	Looney.
Bell.	McBride.
Bonham.	McDaniel.
Bryant.	McDonald.
Burmeister.	McNatt.
Cable.	Martin.
Carpenter	Mathes.
of Matagorda.	Maxwell.
Carson.	Melson.
Carter of Hays.	Merritt.
Chitwood.	Montgomery.
Coffee.	Moore.
Covey.	Morgan
Crawford.	of Robertson.
Davis.	Pate.
DeBerry.	Patman.
Dinkle.	Perdue.
Dodd.	Pinkston.
Downs.	Potter.
Driggers.	Quinn.
Duffey.	Rice.
Dunn.	Robinson.
Durham.	Rowland.
Edwards.	Russell
Fields.	of Callahan.
Finlay.	Russell of Trinity.
Greer.	Sackett.
Hardin of Erath.	Sanford.
Harrington.	Satterwhite.
Henderson	Simpson.
of Marion.	Smith.
Howeth.	Sparkman.
Jacks.	Stell.
Jennings.	Stevens.
Johnson.	Stewart of Jasper.
Kemble.	Stewart of Reeves.

Storey.	Vaughan.
Sweet.	Wallace.
Teer.	Wells.
Thompson.	Westbrook.
Thrasher.	Young.

Nays—17.

Abney.	Henderson
Avis.	of McLennan.
Beasley.	Irwin.
Bird.	Lewis.
Blount.	Loftin.
Carpenter	Morgan
of Dallas.	of Liberty.
Gipson.	Purl.
Hardin	Stiernberg.
of Kaufman.	Turner.
	Wessels.

Present—Not Voting.

Dunlap.	Rountree.
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Absent.

Baker of Milam.	Pool.
Baker of Orange.	Pope.
Cowen.	Quaid.
Culp.	Shires.
Davenport.	Stewart
Fugler.	of Edwards.
Harris.	Strickland.
Hendricks.	Stroder.
Hull.	Williamson.
LeSturgeon.	Wilson.
Patterson.	

Absent—Excused.

Bobbitt.	Lusk.
Carter of Coke.	McFarlane.
Collins.	McKean.
Dielmann.	Merriman.
Faubion.	Miller.
Frnka.	Price.
Green.	Rogers.
Houston.	Shearer.
Hughes.	Wilmans.
Jones.	Winfree.

Mr. Jacks moved to reconsider the vote by which the bill was passed and asked to have the motion to reconsider spread on the Journal.

Mr. Patman called up the motion to reconsider and moved to table the motion.

The motion to table prevailed.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 20, 1923.

Hon. R. E. Seagler, Speaker of the
House of Representatives.

Sir: I am directed by the Senate to

inform the House that the Senate has passed

H. C. R. No. 2, Relating to a prison survey, by the following vote: 17 yeas, 5 nays and 1 pair.

Respectfully,
RICHARD BLALOCK,
Assistant Secretary of the Senate.

MESSAGE FROM THE SENATE.

Senate Chamber,
Austin, Texas, April 20, 1923.
Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: I am directed by the Senate to inform the House that the following Senators have been appointed to serve on the investigating committee provided for in Senate Concurrent Resolution No. 6: Senators Wirtz, Holbrook and Davis.

Respectfully,
RICHARD BLALOCK,
Assistant Secretary of the Senate.

ADJOURNMENT.

On motion of Mr. Culp, the House, at 4:30 o'clock p. m., adjourned until 10 o'clock a. m. next Monday.

APPENDIX.

STANDING COMMITTEE REPORTS.

The following standing committees filed favorable reports today on bills as follows:

Appropriations: House bill No. 41.
Revenue and Taxation: House bills Nos. 15 and 10.

The following standing committee filed unfavorable reports today on bills as follows:

Revenue and Taxation: House bills Nos. 19, 17 and 37.

REPORT OF COMMITTEE ON ENGROSSED BILLS.

Committee Room,
Austin, Texas, April 19, 1923.
Hon. R. E. Seagler, Speaker of the House of Representatives.

Sir: Your Committee on Engrossed Bills have carefully examined and compared

H. B. No. 1, A bill to be entitled "An Act levying an occupation tax upon the right and privilege of producing oil

in this State by taking same from the earth; defining the words 'person,' 'market value' and 'oil,' levying such tax against those engaged in such production; requiring reports to be made in order to ascertain the amount of said tax due the State; prescribing penalties for failure to comply with the act requiring reports to be made, and requiring said tax to be paid within a certain time; making necessary provision for carrying into effect the act and accomplishing its purpose; amending Article 7383, Chapter 2, of Title 126 of the Revised Civil Statutes of 1911, as amended, and declaring an emergency,"

And find the same correctly engrossed.

DINKLE, Chairman.

SIXTH DAY.

(Monday, April 23, 1923.)

The House met at 10 o'clock a. m., pursuant to adjournment, and was called to order by Speaker Seagler.

The roll was called and the following members were present:

Abney.	Dodd.
Amsler.	Downs.
Arnold.	Driggers.
Atkinson.	Duffey.
Avis.	Dunlap.
Baker of Milam.	Dunn.
Baker of Orange.	Durham.
Baldwin.	Edwards.
Barker.	Fields.
Barrett.	Finlay.
Beasley.	Fugler.
Bird.	Gipson.
Blount.	Greer.
Bonham.	Hardin of Erath.
Bryant.	Hardin
Burmeister.	of Kaufman.
Cable.	Harrington.
Carpenter	Harris.
of Dallas.	Henderson
Carpenter	of Marion.
of Matagorda.	Henderson
Carson.	of McLennan.
Carter of Coke.	Hendricks.
Carter of Hays.	Howeth.
Chitwood.	Hull.
Coffee.	Irwin.
Collins.	Jacks.
Covey.	Jennings.
Cowen.	Johnson.
Crawford.	Kemble.
Culp.	Lackey.
Davis.	Laird.
DeBerry.	Lane.
Dielmann.	Lewis.
Dinkle.	Loftin.